

UNITED STATES DISTRICT COURT

for the

Southern District of New York

SALUS CAPITAL PARTNERS, LLC

*Plaintiff*

v.

ANDREW MOSER

*Defendant*

Civil Action No. 17 CIV 5536 (NRB)

CLERK'S CERTIFICATION OF A JUDGMENT TO BE REGISTERED IN ANOTHER DISTRICT

I certify that the attached judgment is a copy of a judgment entered by this court on (date) 05/23/2018

I also certify that, as appears from this court's records, no motion listed in Fed. R. App. P. 4(a)(4)(A) is pending before this court, the time for appeal has expired, and no appeal has been filed or, if one was filed, it is no longer pending.

Date:

7/3/18

CLERK OF COURT

*[Signature]*

Signature of Clerk or Deputy Clerk

DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 5/23/18

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SALUS CAPITAL PARTNERS, LLC,

Petitioner,

- against -

ANDREW MOSER,

Respondent.  
-----X

**AMENDED JUDGMENT**

17 Civ. 5536 (NRB)

**NAOMI REICE BUCHWALD**  
**UNITED STATES DISTRICT JUDGE**

**WHEREAS** Salus Capital Partners, LLC ("petitioner") having petitioned to confirm the arbitration award issued in its favor against respondent Andrew Moser ("respondent"), and

**WHEREAS** respondent having moved to partially vacate the award, and

**WHEREAS** the Court, on January 16, 2018, having issued its Memorandum and Order granting the petition to confirm the arbitration award and denying the motion to partially vacate the award, and directing petitioner, if unable to resolve the issue with respondent within ten days, to move for an award of attorneys' fees incurred in this action ten days thereafter, and

**WHEREAS** petitioner, having filed a letter with this Court on January 19, 2018 waiving an award of attorneys' fees incurred in this action, and

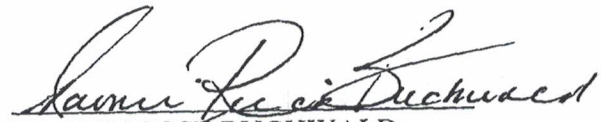
**WHEREAS** the Court, on February 7, 2018, having entered judgment in favor of petitioner in the total sum of \$2,626,994.21, plus pre-judgment interest from April 17, 2017, at the annual rate of nine percent, and post-judgment interest at the rate set by 28 U.S.C. § 1961, against respondent, and

**WHEREAS** the respondent having appealed from said judgment and said appeal having been docketed by the Clerk of the Second Circuit Court of Appeals, and

WHEREAS petitioner and respondent having agreed that, in consideration of respondent withdrawing the appeal, the judgment would be amended as herein set forth, it is

ORDERED and ADJUDGED that the Judgment entered February 7, 2018 be of no further force or effect and that, for the reasons stated in the Court's Memorandum and Order dated January 16, 2018, and based on the parties' stipulation, Judgment is hereby entered as of this day in favor of petitioner in the total sum of \$2,395,334.62 (which amount is inclusive of pre-judgment interest to the date of the Original Judgment), plus interest from February 7, 2018 at the rate set by 28 U.S.C. § 1961, against respondent.

Dated: New York, New York  
May, 23, 2018

  
NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE

CERTIFIED AS A TRUE COPY ON

THIS DATE 7/3/18

BY K. Maney  
( ) Clerk  
(x) Deputy